

UNITED STATES DISTRICT COURT

for the
District of Arizona

United States of America,

v.

RONY GONZALEZ
Aka Ronni AGUILAR-Lopez
Defendant

Case No.

17-443MS

CRIMINAL COMPLAINT

I, the undersigned complainant, being duly sworn, state that the following is true and correct to the best of my knowledge and belief.


Count 1:

On or about September 29, 2017, at or near Mesa, in the County of Maricopa, in the District of Arizona, Rony GONZALEZ, aka Ronni AGUILAR-Lopez knowing and in reckless disregard of the fact that certain aliens, Francisco Miguel-Diego and Orelia Lopez-Gomez, had come to, entered and remained in the United States in violation of law, did transport, and move or attempted to transport and move such aliens within the United States by means of transportation or otherwise, in furtherance of such violation of law; and the offense was done for the purpose of commercial advantage or private financial gain. In violation Title 8, United States Code, Section 1324(a)(1)(A)(ii) and (a)(1)(B)(i).


I further state that I am a Special Agent with Homeland Security Investigations.

See Attached Statement of Probable Cause Incorporated By Reference Herein.

REVIEWED BY: AUSA Jacqueline Schesnol


Signature of Complainant
Rochelle Brown
Homeland Security Investigations Special Agent

Sworn to before me and subscribed telephonically at 4:30PM, September 30, 2017, at Phoenix, Arizona.


Signature of Judicial Officer
Honorable Michelle Burns
United States Magistrate Judge

STATEMENT OF PROBABLE CAUSE

I, Rochelle Brown, being duly sworn, hereby depose and state as follows:

1. Your affiant is a Special Agent with United States Homeland Security Investigations (HSI). I have learned from direct participation in the investigation, and from the reports and communications of other agents and officers, of the facts recited herein.
2. On or about September 29, 2017, at approximately 11:30 a.m. Homeland Security Investigations (HSI), Office of the Special Agent in Charge (SAC) Phoenix, Arizona, Special Agents (SA) were conducting surveillance operations on two vehicles that were identified as, being associated with criminal alien smuggling, a brown Chrysler Town and Country minivan bearing Arizona license plate CBC9620 and a grey/blue Chrysler Sebring bearing Arizona license plate BXT3789. The vehicles were in close proximity to each other and based on my training and experience one vehicle tends to be the lookout vehicle for the vehicle loaded with undocumented aliens. The lookout vehicle is positioned in such a manner that it can see and alert the load vehicle of any potential law enforcement vehicles in the area.
3. The aforementioned Sebring was observed sitting in a parking lot with a single occupant looking around prior to moving to an adjacent empty parking lot. The

aforementioned minivan was observed at a residence, 540 South Hobson Avenue, Mesa, AZ, suspected of harboring undocumented aliens.

4. SA observed the Sebring drive pass the suspected residence and shortly thereafter the minivan departed. SAs followed the minivan and contacted Mesa Police Department for assistance in conducting a vehicle stop. Mesa Police Department attempted to conduct a traffic stop however all occupants of the vehicle attempted to abscond on foot. Fourteen (14) undocumented aliens were apprehended and determined to be foreign nationals. None of the foreign nationals were in possession of immigration documents, visas, or permissions to enter, pass through, or reside in the United States. All of the foreign nationals admitted to crossing into the United States illegally. Five (5) of the undocumented aliens were determined to be minor children. The driver of the vehicle, one of the fourteen undocumented aliens, was identified as Rony GONZALEZ by a Mesa City Police Officer and Francisco Miguel-Diego (smuggled alien). GONZALEZ bailed out of the vehicle and can be identified as the driver of the vehicle by a Mesa City Police Officer who was on scene during the traffic stop and initiated the foot pursuit.
5. GONZALEZ was advised of his Miranda Rights in Spanish by SA Carlos Silva. GONZALEZ acknowledged he understood his rights, waived his rights, and consented to provide a statement without an attorney present. During a post Miranda interview with Rony GONZALEZ admitted to working for the "Chaparro" Alien Smuggling Organization (ASO). GONZALEZ stated he works

as a driver for the organization. His duties include driving the undocumented aliens to their final destination in the United States.

6. GONZALEZ stated that on Sunday, September 24, 2017, he received a telephone call while he was in Memphis, TN, from a member of the aforementioned alien smuggling organization, offering him a job to transport undocumented aliens from Mesa, AZ to Memphis, TN.
7. GONZALEZ further stated that on Monday September, 25, 2017, a greyish colored Chrysler sedan bearing an Arizona license plate transported him, MARCIEL, and an unknown third subject to a Days Inn Motel in the vicinity of Mesa, AZ.
8. GONZALEZ stated that today September 29, 2017, he was transported to the residence located at 540 South Hobson. GONZALEZ further stated that he was instructed to enter the Chrysler minivan and drive to Memphis, TN. GONZALEZ stated that he was given \$400.00 USD for gasoline, and food. GONZALEZ stated that he had knowledge that the vehicle he was driving was loaded with undocumented aliens. GONZALEZ stated the undocumented aliens were preloaded into the vehicle.
9. GONZALEZ stated that he was to earn approximately \$1,250.00 USD for the drive from Mesa, AZ to Memphis, TN. GONZALEZ further stated that he was splitting the driving with Arturo MARCIEL, who was identified by Mesa City Police Department Officer as the front seat passenger. GONZALEZ stated

MARCIEL was also due to earn half of the \$2,500.00 USD meaning both GONZALEZ and MARCIEL would earn \$1,250.00 USD each.

10. MARCIEL was advised of his Miranda Rights in Spanish by SA Carlos Silva.

MARCIEL acknowledged he understood his rights, waived his rights, and consented to provide a statement without an attorney present. During the post Miranda interview with Arturo MARCIEL he admitted to being paid \$500.00 USD to drive with GONZALEZ from Mesa, AZ to Memphis, TN. MARCIEL was turned over to Shelby County, Memphis, TN, for an outstanding warrant.

11. Two (2) material witnesses were held in custody in order to provide statements pertaining to smuggling events that had occurred. The material witnesses were advised of their rights to contact the consulate.

12. The first material witness, Francisco Miguel-Diego (hereinafter referred to as Miguel-Diego) stated that he paid \$5,000.00 USD to cross from Mexico into the United States. Miguel-Diego is a citizen and national of Mexico and stated that he was not in possession of immigration documents, visas, or permissions to enter, pass through, or reside in the United States. Miguel-Diego stated that his family deposited the money into a bank account provided to him by an unidentified guide in Mexico. Miguel-Diego stated that he was smuggled into the United States and brought to a house in Mesa, AZ. Miguel-Diego stated that he crossed on foot from Mexico into the United States and picked up in the Arizona desert by an unidentified male in a vehicle. Miguel-Diego stated that the unidentified driver

brought him to a house in Mesa, AZ. Miguel-Diego stated that on September 29, 2017, he was told to get into the aforementioned minivan and instructed to stay down once inside the minivan. Miguel-Diego identified the driver of the aforementioned minivan as Rony GONZALEZ through a six pack photo lineup.

13. The second material witness, Orelia Lopez-Gomez. Lopez-Gomez is a citizen of Guatemala and admitted that she illegally entered the United States without permission. Lopez-Gomez stated that she crossed the United States/Mexico border on foot. Lopez-Gomez further stated that she paid the alien smuggling organization approximately \$7,100.00 USD to be smuggled into the United States.
14. Based on the above stated facts, your affiant submits that there is probable cause to believe that on or about September 29, 2017, at or near Mesa, Arizona in the County of Maricopa, in the District of Arizona, Rony GONZALEZ, knowing and in reckless disregard of the fact that certain aliens, Francisco Miguel-Diego and Orelia Lopez-Gomez, had come to, entered and remained in the United States in violation of law, transports, or moves or attempts to transport or move such alien within the United States by means of transportation or otherwise, in furtherance of such violation of law; and otherwise in furtherance of such violation of law and the offense was done for the purpose of commercial advantage or private financial gain. In violation Title 8, United States Code, Section 1324(a)(1)(A)(ii) and (a)(1)(B)(i).

A handwritten signature in cursive script, reading "Rochelle Brown".

Signature of Complainant

Rochelle Brown

Homeland Security Investigations

Sworn to and subscribed telephonically at 4:30PM this 30th day of September, 2017.

A handwritten signature in cursive script, reading "Michelle Burns".

Signature of Judicial Officer

Honorable Michelle Burns

United States Magistrate Judge